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# ZONING ANALYSIS

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## Planning Commission Public Hearing

April 3, 2018

## Board of Commissioners' Public Hearing

April 17, 2018

Prepared by:  
**COBB COUNTY**  
**PLANNING AND ZONING DIVISIONS**

**COBB COUNTY BOARD OF COMMISSIONERS**

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***COBB COUNTY ZONING DIVISION***  
***COMMUNITY DEVELOPMENT DEPARTMENT***

**Dana Johnson, Director, Community Development**  
**John Pederson, Manager, Zoning Division**



*Cobb County... Expect the Best!*

**Every application for rezoning involving a request for a non-residential zoning district shall include a complete written, documented analysis of the impact of the proposed rezoning with respect to each of the following matters:**

- (a) Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property;
- (b) Whether the zoning proposal will adversely affect the existing use or usability of adjacent property or nearby property;
- (c) Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned; and
- (d) Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools.
- (e) Whether the zoning proposal is in conformity with the policy and intent of the land use plan; and
- (f) Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.

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**COBB COUNTY-  
ZONING HEARING AGENDA  
Planning Commission–April 3, 2018**

**NOTE:** *The applicant/property owner(s), prior to hearing date, may withdraw petitions contained in this agenda; therefore, the Planning Commission will not consider those cases.*

**CONTINUED CASES**

- Z-56<sup>'17</sup>**      **OAK HALL COMPANIES, LLC** (Audrey Mae Wigley, By Gloria Wigley as Administrator for the Estate of Audrey Wigley, owner) requesting Rezoning from **R-30** to **R-20/OSC** for the purpose of a Single-family Subdivision in Land Lots 26, 27, 46 and 47 of the 16<sup>th</sup> District. Located on the east and west sides of Wigley Road, north of Summitop Road. *(Previously continued by Staff from the September 7, 2017, October 3, 2017 and November 7, 2017, December 5, 2017, and February 6, 2018 Planning Commission hearings until the May 1, 2018 Planning Commission hearing)*
- Z-3**            **PUNKY POOH, LLC** (The Estate of Lewis E. Lee, owner) requesting Rezoning from **R-20** to **FST** for the purpose of Fee-Simple Townhouses in Land Lot 37 of the 17<sup>th</sup> District. Located on the west side of Mableton Parkway, south of Glore Circle, and on the east side of Glore Circle. *(Previously continued by the Planning Commission from their February 6, 2018 hearing until the May 1, 2018 Planning Commission hearing)*
- Z-7**            **3103 ND, LLC** (John Douglas Howser and Robert David Howser, III, owners) requesting Rezoning from **R-20** to **NRC** for the purpose of a Climate-Controlled Self-Service Storage Facility, Office and Retail in Land Lots 690, 691, 750 and 751 of the 17<sup>th</sup> District. Located on the west side of Oakdale Road, on the east side of South Cobb Drive. *(Previously continued by Staff from the March 6, 2018 Planning Commission hearing until the April 3, 2018 Planning Commission hearing)*

- Z-8**            **LOYD DEVELOPMENT SERVICES** (Item Six Residuary Trust, owner) requesting Rezoning from **SC** to **RA-5 (detached)** for the purpose of a Residential Subdivision in Land Lots 339 and 402 of the 19<sup>th</sup> District. Located off a private easement on the east side of John Ward Road, west of Powder Springs Road, and on the north side of Macland Road. *(Previously continued by Staff from the March 6, 2018 hearing until the April 3, 2018 Planning Commission hearing)*
- Z-11**            **AZIZ FARISTA** (Aziz Farista, owner) requesting Rezoning from **R-20** to **CRC** for the purpose of Retail or Office in Land Lot 1296 of the 19<sup>th</sup> District. Located on the southwest corner of Veterans Memorial Highway and Old Bankhead Highway. *(Previously continued by Staff from the March 6, 2018 Planning Commission hearing until the April 3, 2018 Planning Commission hearing)*
- Z-12**            **LOYD DEVELOPMENT SERVICES** (Linda J. Medlin, Troy Edward Glass, Jr. and Kelly Renee Anderson Glass, owners) requesting Rezoning from **R-30** to **RA-5** for the purpose of a Residential Subdivision in Land Lots 66 and 67 of the 16<sup>th</sup> District. Located on the northwest side of Shallowford Road, north of Shallow Ridge Road. *(Previously continued by the Planning Commission from their March 6, 2018 hearing until the April 3, 2018 Planning Commission hearing)*
- Z-16**            **VININGS STORAGE, LLC** (Spring Land, LLC, Mid-America Apartments, L.P., owners) requesting Rezoning from **RMR and CRC** to **RRC** for the purpose of a Climate-Controlled Self-Service Storage Facility in Land Lot 844 of the 17<sup>th</sup> District. Located on the north side of Mount Wilkinson Parkway, on the east side of Spring Hill Parkway, and on the west side of I-285. *(Previously continued by Staff from the March 6, 2018 Planning Commission hearing until the April 3, 2018 Planning Commission hearing)*

**SLUP-2**      **3103 ND, LLC** (John Douglas Howser and Robert David Howser, III, owners) requesting a **Special Land Use Permit** for the purpose of a Climate-Controlled Self-Service Storage Facility and Office/Retail in Land Lots 690, 691, 750 and 751 of the 17<sup>th</sup> District. Located on the west side of Oakdale Road, and on the east side of South Cobb Drive. *(Continued by Staff from the March 6, 2018 Planning Commission hearing until the April 3, 2018 Planning Commission hearing)*

**SLUP-4**      **VININGS STORAGE, LLC** (Spring Land, LLC, Mid-America Apartments, L.P., owners) requesting a **Special Land Use Permit** for the purpose of a Climate Controlled Self-Service Storage Facility in Land Lot 844 of the 17<sup>th</sup> District. Located on the north side of Mount Wilkinson Parkway, on the east side of Spring Hill Parkway, and on the west side of I-285. *(Continued by Staff from the March 6, 2018 Planning Commission hearing until the April 3, 2018 Planning Commission hearing)*

## **REGULAR CASES --- NEW BUSINESS**

### **Rezoning**

**Z-17**      **PETINOS, LLC** (Petinos, LLC, owner) requesting Rezoning from **LRO** to **CRC** for the purpose of Retail in Land Lots 787 and 788 of the 19<sup>th</sup> District. Located on the north side of East-West Connector, east of Powder Springs Road.

**Z-20**      **ELEVATION DEVELOPMENT GROUP, LLC** (Overlook Partners, LLC, owner) requesting Rezoning from **O&I** to **RRC** for the purpose of a Mixed-Use Development in Land Lots 782 and 783 of the 17<sup>th</sup> District. Located on the southeast side of Terrell Mill Road, across from Waterfall Village Drive, and the west side and west terminus of Water Place. *(Continued by Staff until the May 1, 2018 Planning Commission hearing)*

- Z-21**      **W. REED KONIGSMARK** (Jaynie B. Pickens, owner) requesting Rezoning from **R-30** to **R-20/OSC** for the purpose of a Single-Family Subdivision in Land Lots 80, 143 and 144 of the 19<sup>th</sup> District. Located on the southeast side of Dallas Highway, and on the northwest side of Poplar Springs Road.
- Z-22**      **FORTRESS BUILDERS, LLC** (The Estate of Martha Frances Moore and David and Marcia McGinnis, owners) requesting Rezoning from **R-20** to **RSL** for the purpose of Non-Supportive Senior Living in Land Lots 124 and 125 of the 17<sup>th</sup> District. Located on the northeast and southwest sides of Harris Road, south of Church Road.

**IMPORTANT NOTE: DUE TO A PROCESS CHANGE, SOME CASES FOR FEBRUARY, MARCH AND APRIL WERE TAKEN OUT OF ORDER. ALL THE CASES ON THIS AGENDA ARE FOR THE APRIL ZONING CYCLE.**



**NOTE:**       **“Pursuant to the Official Code of Cobb County, Zoning – Section 134-124(b) the Cobb County Board of Commissioners is authorized to consider and may consider all constitutionally permissible zoning classification(s), including, but not limited to, intervening classification(s) and/or the classification(s) sought by the applicant.”**

The exact description of the property sought to be rezoned is on file in the office of the Cobb County Community Development, Zoning Division, 1150 Powder Springs Street, Suite 400, Marietta, Georgia 30064 and available for inspection by interested citizens between the hours of 8:00 a.m. and 5:00 p.m. Monday through Friday.

Hearing on said petitions will be heard by the Cobb County Planning Commission at 9:00 a.m. on the prescribed hearing date. The public hearing will be held in the Second Floor Commissioners’ Meeting Room, Cobb County Building, 100 Cherokee Street, Marietta, Georgia, 30090.

Anyone wishing to attend this public hearing may do so and be heard relative thereto. Any person wishing to speak before the Planning Commission must file a contribution disclosure statement if, and only if, the monetary contribution was made within two (2) years immediately preceding the filing of the rezoning request and the contribution aggregates to a sum total of \$250.00 or more.

This disclosure statement must be submitted to the Zoning Division Office by mail to P. O. Box 649, Marietta, Georgia 30061 or in person at 1150 Powder Springs Street, Suite 400, Marietta, Georgia 30064 within five (5) days before the public hearing.

Additionally, if you believe you need any special accommodations in order to attend these public hearings, please contact the County Clerk’s Office at 770-528-3307 no later than 48 hours before the date of the above meeting.

**COBB COUNTY**  
**ZONING HEARING AGENDA**  
**Board of Commissioners–April 17, 2018**

**NOTE:** *Some of these petitions may not be heard by the Board of Commissioners. The Planning Commission may hold or continue some cases at their public hearing, and some cases may be withdrawn by the applicant/owner.*

**CONTINUED OR HELD CASES BY PLANNING COMMISSION, BOARD OF COMMISSIONERS OR STAFF (TO BE HEARD)**

- Z-77<sup>17</sup>** **ASHTON ATLANTA, LLC** (Wildwood Associates, owner) requesting Rezoning from **O&I** to **RM-12** for the purpose of Townhomes in Land Lots 987 and 988 of the 17<sup>th</sup> District. Located on the northeast corner of Windy Hill Road and Wildwood Parkway. *(Previously continued by the Planning Commission from their December 5, 2017 hearing until the February 6, 2018 Planning Commission hearing; Held by the Board of Commissioners from their February 20, 2018 hearing until the March 20, 2018 Board of Commissioners hearing; continued by the Board of Commissioners from their March 20, 2018 hearing until the April 17, 2018 Board of Commissioners hearing)*
- Z-84<sup>17</sup>** **RANDY E. PIMSLER** (James E. Jackson, owner) requesting Rezoning from **R-20** to **FST** for the purpose of Townhomes in Land Lot 410 of the 18<sup>th</sup> District. Located on the north side of Hillcrest Drive, east of South Gordon Road. *(Previously continued by the Planning Commission from their December 5, 2017 hearing until the February 6, 2018 Planning Commission hearing; Held by the Planning Commission until the March 6, 2018 Planning Commission hearing; held by the Board of Commissioners from their March 20, 2018 hearing until the April 17, 2018 Board of Commissioners hearing)*
- Z-5** **PULTE HOME COMPANY, LLC** (CP Old Towne, LLC, owner) requesting Rezoning from **PSC** to **RM-12** for the purpose of Townhouses in Land Lot 86 of the 1<sup>st</sup> District. Located on the southwest corner of Olde Towne Parkway and Olde Towne Lane. *(Previously continued by the Board of Commissioners from their March 20, 2018 hearing until the April 17, 2018 Board of Commissioners hearing)*

- Z-7**            **3103 ND, LLC** (John Douglas Howser and Robert David Howser, III, owners) requesting Rezoning from **R-20** to **NRC** for the purpose of a Climate-Controlled Self-Service Storage Facility, Office and Retail in Land Lots 690, 691, 750 and 751 of the 17<sup>th</sup> District. Located on the west side of Oakdale Road, on the east side of South Cobb Drive. *(Previously continued by Staff from the March 6, 2018 hearing until the April 3, 2018 Planning Commission hearing)*
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## **OTHER BUSINESS CASES**

### **ITEM OB-014**

To consider a site plan and stipulation amendment for Edison Chastain Office, LLC regarding rezoning application Z-20 of 2015 for property located on the west side of Bells Ferry Road and on the east side of Chastain Meadows Parkway, in Land Lots 498, 499, 510 and 511 of the 16<sup>th</sup> District.

### **ITEM OB-015**

To consider a site plan and stipulation amendment for Palladian, Inc. regarding rezoning application Z-93 of 2005 for property located at the southwesterly intersection of Morgan Road and Piedmont Road, in Land Lot 563 of the 16<sup>th</sup> District.

### **ITEM OB-016**

To consider amending the stipulations for Worship with Wonders Church regarding rezoning application Z-70 of 1999, for property located at the northeasterly intersection of Powder Springs Road and Milford Church Road in Land Lots 488 and 549 of the 19<sup>th</sup> District (1887 Powder Springs Road).

### **ITEM OB-017**

To consider amending the stipulations for St. Benedicts Episcopal Church, LLC regarding rezoning case Z-21 of 2008, Z-29 of 2012 and SLUP-9 of 2008 (St. Benedicts Episcopal Church, LLC) located on the east side of Cooper Lake Road and on the west side of Atlanta Road in Land Lots 694 & 695 of the 17<sup>th</sup> District.

### **ITEM OB-018**

To consider a site plan and stipulation amendment for Battery Hotel Group, LLC regarding rezoning application Z-45 of 2014 for property located at the southwest side of Circle 75 Parkway, south of Windy Hill Road in Land Lot 876 of the 17<sup>th</sup> District.

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